

In re: PETER A. LANG, d/b/a SAFARI WEST.
AWA Docket No. 96-0002.
Order to Show Cause.
Filed February 25, 2002.

Colleen A. Carroll, for Complainant.
Respondent, Pro se.
Order issued by William G. Jenson, Judicial Officer.

On January 13, 1998, I issued a Decision and Order: (1) concluding that Peter A. Lang, d/b/a Safari West [hereinafter Respondent], violated section 2.131(a)(1) of the regulations (9 C.F.R. § 2.131(a)(1)) issued under the Animal Welfare Act, as amended (7 U.S.C. §§ 2131-2159); (2) assessing Respondent a \$1,500 civil penalty; and (3) ordering Respondent to cease and desist from failing to handle animals as expeditiously and carefully as possible, in a manner that does not cause trauma, overheating, excessive cooling, behavioral stress, physical harm, or unnecessary discomfort. *In re Peter A. Lang*, 57 Agric. Dec. 59, 70, 91 (1998).

On June 30, 1998, Respondent filed a Motion for Stay pending the outcome of proceedings for judicial review. On July 1, 1998, I granted Respondent's request for a stay pending the outcome of proceedings for judicial review. *In re Peter A. Lang*, 57 Agric. Dec. 1275 (1998) (Stay Order).

The United States Court of Appeals for the Ninth Circuit affirmed *In re Peter A. Lang*, 57 Agric. Dec. 59 (1998). *Lang v. United States Dep't of Agric.*, 189 F.3d 473 (9th Cir. 1999) (Table). Respondent filed a petition for rehearing *en banc* which the United States Court of Appeals for the Ninth Circuit denied. *Lang v. United States Dep't of Agric.*, No. 98-70807 (9th Cir. Jan. 28, 2000) (Order). Neither the Administrator, Animal and Plant Health Inspection Service, United States Department of Agriculture [hereinafter Complainant], nor Respondent sought further judicial review of *In re Peter A. Lang*, 57 Agric. Dec. 59 (1998). Neither Complainant nor Respondent has requested that I lift the July 1, 1998, Stay Order. Within 20 days after service of this Order to Show Cause, Complainant and Respondent are ordered to show cause why I should not lift the July 1, 1998, Stay Order and make effective the Order in *In re Peter A. Lang*, 57 Agric. Dec. 59 (1998).
